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PERSPECTIVES ON THE BORDERLESS WORLD
ISSUES FOR CANADA

Heather Nicol and Ian Townsend-Gault

Fall 2000
Vancouver

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Perspectives on the Borderless World - Issues for Canada

Heather Nicol
Ian Townsend-Gault

In August, 1999, a multi-disciplinary group of boundary scholars assembled in Vancouver to discuss a wide range of issues arising under the general heading of the 'borderless world'.[1] The gathering meet under the aegis of the International Boundaries Research Unit (IBRU) of the University of Durham, England.[2] IBRU conferences have a loyal international following, but the Vancouver Conference injected a stronger North American flavour to the proceedings than is usually the case with its annual conferences. Accordingly, much attention was focused on the Americas. Groups of papers also examined contemporary boundary issues in Europe, as well as a range of theoretical issues and approaches, intractable disputes, the possible uses of diplomacy, and challenges thrown up by technology. A session devoted to graduate students allowed younger scholars to present their work to an international audience drawn from a wide variety of disciplines.

The papers were presented in an academic setting, and, as is usual, addressed over-arching themes identified by the organisers. It seemed to the present writers (who are editing the proceedings for publication) that many of the themes and issues explored had some relevance for contemporary Canadian policy-making as regards borders and boundaries. This paper attempts to synthesise some of the ideas discussed at the Conference and to focus them on aspects of the Canadian 'borderless world' agenda.

One of the recurrent themes in these conference papers is that of the projected end, or survival, or re-definition, of the nation-state. Some months after the conference, this was the theme of an address to both Houses of the Parliament of

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1 *Permeable Borders and Boundaries in a Globalising World: New Opportunities or Old Problems?*, Conference organised by the International Boundaries Research Unit (IBRU), University Of Durham, UK with the Department of National Defence, (Maritime Forces Pacific), Okanagan University College, Simon Fraser University, University of British Columbia and University College of the Cariboo, Vancouver, British Columbia, Canada, August 25 – 27, 1999.

2 IBRU is an inter-disciplinary research and training organization located on the campus of the University of Durham, England. It produces numerous regular publications on issues relating to boundaries, undertakes research and consulting services,. organizes annual training programmes on various aspects of boundary-making, and also organizes an annual conference on a theme of contemporary importance. The 1999 Conference was the first held by IBRU in Canada; the present writers co-chaired the Organising Committee.

Canada by Vaclav Havel, President of the Czech Republic. Havel concluded not only that the national state, in its traditional form, was a thing of the past, but also that this was no bad thing. The concept, in his view, had outlived its usefulness, and could be consigned to the trapdoor of history.

The majority of the citizenry of western states evidently agree, at least to some extent. They seek for, and find, a very great deal of what they want, in terms of information, culture, goods, and services, from outside the borders of the political unit of which they are a part. They want and now expect these borders to be porous and permeable, at least in one direction - their own. What, then, do they expect or want from their state? The answer to this question is surely crucial, for, if their state or its government is not interested in supplying these needs, people will look elsewhere.

There is no doubt that citizens expect and want less from their governments than was the case fifty years ago. Tight state controls on the economy and the means of production were required during the Second World War, and in its difficult aftermath. In some countries not involved in that conflict, government controls were seen as an essential aspect of the grip of the authorities on as many facets of life as were possible. But the forces of de-regulation have been pervasive, totalitarian regimes have fallen, democratic or more-or-less accountable administrations have been installed in countries which seemed to be mired in red-tape, authoritarianism, and regimented political orthodoxy. All of this has had an impact on boundaries too: how could they escape being affected by such seismic forces?

Canada is no more immune from these developments than any of its neighbours or allies. This alone starts to answer the question: why does Canada need to concern itself with many of the issues that arose during the Conference? One approach to this is to ask questions concerning Canada's status as a *nation state*. To what extent do we regard ourselves as a member of this club, and to which category of membership do we belong? Canada's evolution was obviously very different from, say, that of the United States, Indonesia, or Zimbabwe, forged by struggle. To paraphrase George Woodcock, Canada's origins were evolutionary, not revolutionary. The country emerged, and is perhaps still emerging, a political, not geographical construct.

For Canada, the politico-economic evolutionary tides discussed in this volume have paralleled the emergence of the country itself. Comprised of a number of sovereignties, political, ethnic, religious, cultural, Canada confronts international boundary developments while completing the work begun in 1867 by the *British North America Act*, in order to function as an independent sovereign state. From

the external perspective, this task has certainly been completed. The problems lie with the internal ramifications of statehood. There is no doubt that these issues have still to be worked out: jokes abound about the irony of *free trade* in the Americas in the face of inter-provincial boundaries to the movement of certain goods. The MacDonald Royal Commission of the 1980s was simply the latest self-reflexive exercise in the ongoing saga of becoming a country. And, while this work has proceeded, it appears that our notion of what we want or expect from that country has changed radically. All of this challenges the image we present to the world, and the image we wish to have of ourselves.

With these preliminary observations in mind, let us proceed to an examination of specific ideas and concepts as they emerged, session by session, and to consider lessons/recommendations for Canada.[3]

New Opportunities/Old Problems

The statements made in the opening session of the Conference are indicative of the complex nature of border interaction and the inadequacy of simplistic definitions of border functions. The popular viewpoint that state boundaries are containers or barriers, permanently fixed by geopolitical and military objectives, and that governments must "hold the line", is based upon ideas that are not only out-moded, but were probably never particularly accurate. Borders in the real world vary from "closed" to totally "open", and represent a broad spectrum in which the real issues are legal, geographical, historical and social forces acting in concert with the pressures on the boundary from people, goods, capital and ideas. Barrier properties or borders change over time, and are different from area to area.

Given these realities, the strategic concern for decision-makers, legislators and scholars is how to restructure policies surrounding border issues to better accommodate the demands of globalisation and the concerns of national sovereignty. This is not an easy task. Canadians, like Americans and Europeans, are concerned with the potential threat of open borders, de-territorialised states and loss of national sovereignty. Yet, as Gerald Blake[4] observed, as a general rule, accessible borders are usually stress-free borders, maintained by

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3 In the following sections of the paper the affiliations of each speaker will be given in the appropriate footnote, together with the title of her/his paper as it will appear in the edited version of the proceedings. We should also acknowledge that we have drawn on papers and discussion, we hope accurately, for our commentary, and must therefore accept ultimate responsibility for views expressed herein.

4 *The World Political Map: Are the Colors Fading or is our Vision Impaired?*
Professor Gerald Blake, Director, International Boundaries Research Unit,
University of Durham, Durham, UK.

collaborative measures and co-operative management. Indeed, many of the papers presented were devoted to the analysis of open borders and co-operative cross-border relations. Still, problems such as illegal migrants, refugees, terrorist threats (real and perceived) smuggling and drugs, on the frontier, in areas beyond the effective control of the state, loom large as threats which Canadians perceive are associated with negative impacts such a deterioration of personal security or threat to lifestyle. Governments come under pressure to control through more stringent border functions. Reactionary policies that move to close borders emerge from the perception of extreme threat lying on the other side. Yet realistic assessment and response to threat is an extremely important area for policy intervention, because stress-free borders are inimical to healthy cross-border functions, and to the overall well being of the state - particularly in a global context.

This duality is equally evident within Canada. While the Clinton administration has been forced to rise to the challenge of increasingly de-territorialised threats to national security - some at the planetary level, the same would be true for the Chretien government. De-territorialised threats such as environmental degradation, the proliferation of weapons of mass destruction, transnational terrorism and ethnic nationalism, are all issues of concern to Canadians. The question becomes how to manage these issues, transnational in character, within an international political context that remains state-centred. Or, are there alternatives to "state-centred" systems which still maintain national sovereignty and self-determination?

While there is evidence that traditional Canadian security institutions such as the Department of National Defence have engaged these concepts in defence planning for the new millennium, work needs to be done in cultivating the Canadian public to explore the concept of permeable borders, particularly in areas of economic and political co-operation. Popular writers have tended to stress the negative aspects of globalisation--the "threat" of NAFTA" or the "MAI" and transnational corporate culture. While Tom Edwards[5] does not offer answers, he is able to demonstrate how policy formulations could garner greater control while not eliminating cross-border flows of information and capital. Edwards analysis of the structuring of informational systems, corporate strategies and conditions in which recontextualising occurs raises the possibility of the development of "soft" means of control. His comments concerning the market implications of localisation errors are prescriptive, giving support to the concept that governments must provide or encourage interfacing services.

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5 *Information Geopolitics: Blurring the Lines of Sovereignty*, Tom Edwards, Geographer, Microsoft Corporation, Seattle, Washington, USA.

"Nation-states have been carrying out their individual *manifest destinies* and exercising their right to self-determination as gained through their sovereign status. Likewise, TNCs have been operating mostly as big businesses B not only because that's what they are but also due to their unrealised, hegemonic nature on the world scene. When positioned together in the present global system, the nation-states and TNCs carry out mainly a contentious interaction that is based on one entity trying to circumvent the others regulations or practices, i.e., it is not necessarily always a constructive relationship".

The implications of Edwards's comments are clear--there needs to be an arena to promote cooperative interaction and interfacing exercises between TNCs and national governments. If Edwards is correct, market concerns precondition large information corporations to collaborate to localisation. There are inherent opportunities to build bridges between the interests of the two actors, rather than to develop rigid positions based upon conflicting interests. In the wake of the failed MAI discussions, such collaboration may be a 'hard sell" to Canadians, but in absence of other means of control, it is imperative.

Robert Adamson[6] brings a legal perspective to these issues, noting the trend towards internationalisation extra-territorialisation which has been increasingly marked in the development of law and policy during the 20th century. Indeed, by far the greater amount this blurring of boundaries occurred the second half of that century, and the pace only intensified as it wore on. This desire to promote standard-setting across borders is not merely a desire for harmonisation or uniformity for their own sake, but a realisation that the business of government involves dealing with issues which, by their nature, are transnational. The law/policy response must come from the same perspective. Extra-territorial application of laws, the making of one's laws applicable outsides one's territory, even to aliens, cannot escape controversy, and yet, in some manifestations, seems to derive from the needs of citizens. The desire of US authorities to have the right to punish acts of terrorism directed at Americans anywhere seems an acceptable analogy with the long-standing laws of piracy, which allows any state to punish a pirate. *The Helms-Burton Act* seems, on the other hand, to cross too many established jurisdictional prerogatives.

The basic point is well made: domestic law and policy were once seen as operating inside the water-tight compartment of national territory, more or less

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6 *Law, Sovereignty and Trans-nationalism: Competing Trends in Global and Domestic Justice*, Robert Adamson, Centre for Asian Legal Studies, University of British Columbia, Vancouver, British Columbia, Canada.

immune from foreign influence. No longer. And the forces which internationalise law and policy are akin to those which demolish some boundaries, opening them up to meet changing needs. Extraterritorial application of domestic laws will inevitably have a profound effect on Canadian foreign policy both in respect of the policy tools at the government's disposal and Canada's role in the development and application of international law and politics. Policy makers are increasingly faced with problems which transcend Canada's national borders thus requiring multilateral cooperation. Policy makers are often simultaneously confronted with an international system which is often inadequate for problems requiring a comprehensive and timely response. Illegal immigration, money laundering, the sex trade, internet fraud and trade in genetic material are among the numerous existing and prospective problems which transcend Canada's borders. Unless international responses to the increasing number of international regulatory issues can be improved, the existing trend toward extraterritorial application of domestic law will become even more prevalent. The challenge for Canadian foreign policy will be to anticipate these trends and respond to them in a way which challenges existing assumptions of sovereignty under international law and ensures that Canadian domestic and foreign policy objectives can be most effectively achieved.

Recommendations

- At a conceptual level it is important to regard borders as convenient political constructions which are not carved in stone, but which exist to enhance the function of the state. Borders must be understood functionally, as policy constructs, rather than geographically--as "lines in the sand" which cannot be crossed.

- The function of the state itself must be re-considered in light of the obvious enthusiasm demonstrated by the populace for greater border permeability: which areas are less subject to such enthusiasm?

- Canadians must be encouraged to engage in debate about new border arrangements in which alternative modes of "control" are considered.

- The battle-lines between corporate interests and the interests of the state need to be softened and new modes of functional co-operation discussed.

- While political and economic sectors will always have different short-term goals, new bridges of co-operation and soft controls should be negotiated to ensure long-term success. Economic integration and co-operation can offer tremendous possibility for enhancing national sovereignty, rather than threaten

it, provided that public policies appropriate to national interests have been established.

Redefining the Functions of Boundaries in The Americas

Canadians have a clear and vested interest in the political, economic and cultural integration of all areas of the Americas. Having reoriented the focus of international affairs from Europe to the Americas, Canadians have agreed in principal to support and participate in numerous rounds of economic integration within the Western Hemisphere. As we shall see in subsequent discussion, the NAFTA and its impact upon Canadian-American borderlands is particularly salient, but this does not diminish the importance of trade blocs in Caribbean, Central and South American regions. The fate of MERCURSOR, as well as the ACS and CARICOM is of consequence to Canadians, who have committed funds, political support and investment in these areas. 7

The essays in this section also demonstrate the relevance and impact of globalisation in areas beyond the mainstream, or outside of the NAFTA agreement. (Integration in North America will be discussed later in this paper). While Bradshaw[8] suggests that there are boundary areas of South America which remain outside the domain of global processes, it is equally clear that these border areas are unique. In the wake of postcolonial development paradigms, neo-liberal trade policies and new attitudes towards the legitimacy of indigenous rights and territorial claims have restructured lines of communication beyond "main street". The dialogues taking place at the periphery are of tremendous consequence for those at the centre, not the least reason being that the periphery has managed to insert itself back into the global economy without excessive reliance upon the most economically developed areas of the Americas for legitimation. In fact, it is because they are on the periphery that these regions have new policies and territorial frameworks.

This is as true for Latin America and the Caribbean as it is for the Canadian Arctic, where Whittles[9] argues that through a series of recent political processes in three circumpolar nations, the traditional territories of the Inuit have been

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7 The issues discussed in this section of the paper are explored further in *Caribbean Integration and the Global Context*, Professor Heather Nicol, Department of Geo-sciences, State University of West Georgia, Carrollton, Georgia.

8 *Re-Defining the Functions of Boundaries in the Americas: A Latin American Perspective*, Dr. Roy Bradshaw, Department of Geography, University of Nottingham, United Kingdom

9 *Making the Circle Complete Once Again: Original Peoples, Permeable Boundaries and Globalisation in the Circumpolar North*, Dr.Martin Whittles, Department of Social and Environmental Studies, University College of the Cariboo, Kamloops, British Columbia, Canada

returned to native control. He observes that a supra-national collective has assisted in the creation and maintenance of a new era of Inuit self-determination through home rule and self-government. While the efficacy of the new modes of ethnic territoriality and representation among Inuit depend heavily upon the success of Nunavut in Canada, it is clear that Nunavut is an expression of a larger circumpolar movement itself defined by indigenous if not ethnic nationalisms within a post-modern world. The issues which Whittles raises testify to complex and different nature of northern land claims and boundary issues, yet they also suggest that such initiatives need to be understood within comprehensive frameworks. Canadians tend to see the Arctic in terms of the particulars of aboriginal relations within the state, and lose sight of the bigger issues which set the course of ethnic and nationalistic relations in general, at a global scale.

Some of these insights may fly in the face of postcolonial studies in which exotic contexts and reflexive critiques overwhelm analysis of the rising tide of neoliberalism. While Canadians must be aware that affluent North American attitudes towards development do not resonate among all of their poorer neighbours to the south, neither are these regions immune to the pressure of economic forces which have reshaped Northern American economies. Attempts to adapt to globalisation, and to move away from the margins into the mainstream, are legitimate responses among developing nations, and have significant support. As such, they should not be dismissed.

Recommendations

- Canadian policy-makers and the Canadian public should be encouraged to see political and economic change in terms of the "big picture". Canada is not immune from the forces of globalisation, or ethnic nationalism. New modes of political co-operation are necessary to accommodate change, in the interests of promoting stability

- Canada has a vested interest in developing new policies and continuing existing programmes supporting trade liberalisation within Latin America. The goals of economic integration within the Caribbean region is tied to a broader aim of sustainable development, social equity and strengthening of civil society. Security, stable economic development and social equity are all values which Canadians hold in high regard, and have traditionally supported abroad.

- The Caribbean and Nunavut experience should be regarded as important and potentially successful negotiations of new political and border arrangements within a global context.

A Borderless North America

The relevance of the essays in this section for Canadian is extremely clear. Regionalism in Western Canada has been an ongoing process for a period much longer than the NAFTA has been in existence, and is comprised of multi-sectoral initiatives--those both in the public and private sector. Moreover, efforts to co-ordinate cross border functions are found at the local, regional and national level. Still, contemporary economic, political and social initiatives to promote enhanced regional integration suffer from several deficiencies--most the result of the changing demands imposed upon existing political systems, transportation infrastructures and mindsets.

There is disagreement among authors as to the nature of regionalism in Western Canada, however. Artibise[10] suggests that at the macrolevel--that is in terms of the initiatives that engage national decision-makers in Canada and the US, there is reason to believe that Western Canada has achieved a considerable degree of regional integration. Alper[11] indicates, however, that co-operative efforts are weaker in some areas than others. Cohn[12] and Turbeville[13] and Bradbury[12] also highlight the existence of critical weaknesses which exist at the infrastructural level, particularly in the area of transportation. While some of these deficiencies can be resolved through instrumental policies which ease cross-border transit, others can only be addressed by sustained effort at the national and local level.

The larger lesson for Canadians, which Cascadia highlights, is the fact that considerable cross-border integration is possible without erosion of national institutions or national sovereignty. The Cascadia region has been historically and functionally connected for decades prior to the NAFTA, and yet each side of the region--Canada and the US--have undisputed territorial dimensions. The history of cooperative ventures at the municipal, regional and national level represent, as Artibise explains, an opportunity for development rather than a threat towards national security.

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10 *Trans-border Issues in Cascadia: The B.C. – Washington Corridor Task Force*, Professor Alan Artibise, School of Community and Regional Planning, University of British Columbia, Vancouver, British Columbia, Canada

11 *Conflicts, Transboundary Visions and Agendas: Economic and Environmental "Cascadians"*, Professor Donald Alper, Director of Canadian-American Studies, Western Washington University.

12 *Transportation and Competitiveness in North America: The Cascadian and San Diego-Tijuana Border Regions*, Professor Ted Cohn, Department of Political Science, Simon Fraser University

13 *NAFTA and Transportation Corridor Improvement in western North America: Restructuring for the 21st Century*, Dr. Daniel E. Turbeville, Department of Geography, Eastern Washington University, Cheney, Washington and Dr. Susan Bradbury, Florida Atlantic university, Department of Urban and Regional Planning, Davie, Florida, USA)

Recommendations

- Support of regional cross-border initiatives on a sector by sector basis is as crucial as developing an overall framework for cross-border co-operation within the Cascadia region.

- Developing new programmes to co-ordinate and facilitate transportation networks under NAFTA is crucial to the success of this agreement

- Municipal initiatives which promote cross-border integration should be encouraged and supported as they tend to be extremely effective

Regionalism and Sub-regionalism in Europe

As Canadians involved in political and economic integration initiatives of our own (see Alper, Bradbury and Turberville, Whittles, Cohen and Artibise, this volume) these observations have implications for our own process of national affiliation and formation of citizenship allegiances. A North America of the regions, such as Nunavut, Quebec, Arcadia, Cascadia, Mexamericana and so on, is as likely as a Europe of the regions, and likewise, the regional identities which support economic integration are unlikely either to be continental in scope, and local in character. Indeed, since there is a close relationship between civil society, the grassroots and identity and at the regional level, the possibility is greater that multi-level citizenship may be promulgated at the regional level. Coping with regionalism involves accurate understandings of trans-border arrangements and regional boundaries, as much as it does emergent ethnic and economic nationalism.

Moreover, the experience of Europe suggests to Canadians that there are new approaches to social, economic and political regionalism which require some "thinking outside the box". Structurally complex and multifaceted initiatives are required to cultivate community at a large geographical scale, under varied geographical conditions. While Canadians have long regarded regional an provincial demands for different treatment as unorthodox and unacceptable within the context of national unity, the experience of the European Union has shown that flexibility is exactly what is required to build community. It is clear that there are lessons to be learned about the nature of multi-sectoral planning initiatives and the efficacy of structural policy agendas of state actors in fostering a political community that encompasses a variety of cultural, linguistic and economic contexts, while promoting localism in development.

Recommendations

- The structure of the European Union should be regarded as a starting point for Canadian decision-makers to evaluate the opportunities and threats of permeable borders under increasingly integrated conditions of North American trade. The complexity of the European situation and its difference to that of North America notwithstanding, the EU's comprehensive attention and complex political and policy framework to accommodate the spill-over impacts of free trade should be understood.

- Canadian decision-makers, and the Canadian public in general should be encouraged to discuss the implications of globalisation in terms of citizenship. How does it influence normative concepts of "multiculturalism" within the Canadian state? Would regionalism strengthen or threaten Canadian unity under conditions of economic liberalisation?

Emerging Perspectives

Professor Blake's opening remarks were echoed in many papers which discussed new aspects of or approaches to the concept of boundary permeability. Some raised questions about its validity. Blake drew attention to the scarcity of data about boundary permeability worldwide, cautioning against assumptions about the desirability of permeability in all circumstances, and the effect of permeability on state of sovereignty. In his paper in the session on Emerging Perspectives, Martin Pratt[14] asked what factors affect permeability, and whether there are objective measures which would permit comparative studies of different boundaries. Emphasising the range of factors affecting permeability, both positive (when the state opens up the border) and negative (when the state fails to control the border), he concluded that a meaningful *index of permeability* remains beyond our reach.

Not all speakers however were content with a literal-geographical approach to boundary permeability. Glen Hearns[15] discussed the effects of intellectual property rights in restricting the flow of genetic resources for food and agriculture. Much of this paper drew on work undertaken by Hearns, Robert Adamson and Ian Townsend-Gault in partnership with the Third World Network (funded by IDRC and the MacArthur Foundation) in Laos and Viet Nam. This project explored ways in which countries rich in biodiversity and (for example) traditional pharmaceuticals could safeguard such resources and knowledge in such a way

14 *Can the Permeability of Borders Be Measured?,* Martin Pratt, Research Officer, International Boundaries Research unit, Durham, United Kingdom

15 *Permeating Boundaries: Ecosystem/Intellectual Property Protection*, Glen Hearns, Centre for Asian Legal studies, University of British Columbia, Vancouver, Canada

as to ensure that they would benefit from production and distribution worldwide, rather than one of the multi-nationals. How could such countries prevent the patenting off resources or knowledge which had been developed over centuries, access to which was taken for granted and an essential part of life? Such intellectual boundaries are in need of urgent reassessment, and run contrary to globalisation trends.

Although intellectual property rights (IPR) are designed to protect the interests of business, there are no indications that patents or strict property protection increases innovation in any field of plant and crop development. Because of the precarious nature of the global food supply in the next century, and because of Canada's international commitment to the alleviation of world hunger, greater debate should be generated regarding its policy supporting UPOV 1991, specifically, and IP over genetic resources for food and agriculture in general.

The world population now exceeds 6 billion, yet arable land has dwindled to less than one hectare per person. The Consultative Group on International Agricultural Research (CGIAR) and the Food and Agriculture Organisation of the United Nations (FAO) have concluded that all major agricultural crops are dependent upon exotic germplasm and that food security in the 21st Century will depend upon the conservation and exchange of germplasm and associated knowledge.

Canada has signed and ratified the Convention on Biological Diversity (CBD) which requires, inter alia, the conservation of genetic resources, and access to these resources and associated knowledge on equitable terms. It further promotes the development of IPR legislation where necessary. Canada is also party to the GATT and is bound by the provisions under the TRIPS section. Article 27.3 (b) requires that patents be available for all biotechnology. Countries may opt not to have patent protection for animals and plants (and essentially biological processes for the production of plants or animals), but they must provide some form of adequate protection for plants. UPOV is generally promoted as constituting 'adequate' plant protection. UPOV was originally created to promote plant research and development because it was felt that patent law was too restrictive. The tighter restrictions on plant breeders in the new 1991 UPOV convention exceed patent law in many areas.

Much of the impetus for tighter restrictions has come from business. From the mid-eighties to the mid nineties global seed sales nearly trebled to 3.3 billion US annually. Over 90% of patents (and 98% of generated income) and over 85% of breeders rights are held by OECD countries. TRIPS is promoting their coverage globally. There is strong pressure to continue promoting proprietary interests;

however, Canada must balance this with its commitments to address the food and health needs of future generations.

Stanley Brunn [16]also highlighted numerous ways in which international boundaries still matter, many of which can be measured, such as lifestyles, welfare of children, and the *politics of plants and animals.*

Recommendations

- Canada should consider ways in which border issues - the function of borders, functional and dysfunctional approaches - can be assessed as objectively as possible.

- Canada should consider playing a role in the international debate on the ethics of genetic patenting, as well as the protection of traditional knowledge.

- Canada should address the need to balance the strong pressure to continue promoting proprietary interests with the food and health needs of future generations.

Fresh perspectives on Old Boundary Issues

Papers within this section have great relevance for Canadians, although the issues dealt with were largely conceptual. The message of all three scholars (graduate students) was that it is important how borders are conceptualised. What are the theories, assumptions, social, economic and political considerations brought to the table in the process of boundary-making? All boundaries are not, after all, of equal weight, nor do they serve the same function. Many boundaries, as Steven Jackson[17] indicates, are filters which restrict on the basis of social and economic conditions. Others, as Coleman[18] demonstrates, are boundaries constructed with a "grand project" in mind. These projects are often counter-intuitive to the goals of public policy or Canada's international responsibilities.

The message that border should not be seen as static--that they do not and should not all attempt to undertake the same role or carry the same symbolic function is society is to be ordered in an effective way is an important one.

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16 *The Geopolitics of Life and Living: Where Boundaries Still Matter*, Dr. Stanley D. Brunn and Dr. John F. Watkins, Department of Geography, University of Kentucky, Lexington, Kentucky.

17 *Technopoles and Development in a Borderless World: Boundaries Erased, Boundaries Constructed*, Steven Jackson, Institute for Political Economy, Carleton University, Ottawa, Canada

18 *Ecological Degradation and the Scarcity-Conflict Methodology*, Mathew Coleman, Institute for Political Economy, Carleton University, Ottawa, Canada

Newman's paper[19] suggests that we need not take consistency as a given in border representation. Indeed, consistency of representation undermines attempts to define borders fairly, effectively and ultimately on the basis of clear and mutually agreed upon principals. While Newman does not claim that GIC and computer-aided cartography will resolve border conflict, he argues effectively that more attention should be given to marrying theory and methodology, in order to arrive at clearly understood and mutually agreed upon border definitions.

These discussions have considerable importance to Canadians who are currently in the process of constructing and reconstructing borderlines and boundary areas at all levels, from local to international. There are several important implications in the form of recommendations for policy formulations which follow. Perhaps the most important deal with the translation of conceptual issues into pragmatic issues for boundary delimitation using new technologies.

Recommendations

- Canadians should be encouraged to think about the use of technology to resolve boundary issues. Financial incentives and programmes for research along these lines would be welcomed at the level of post-secondary learning.

- Decision-makers should be encouraged to explore the possibility of greater use of geographical information support and GIS systems in boundary, immigration and identity-building exercises. This information should be accessible in a format which is decipherable for "non-experts"

- Closer attention should be paid to the interface between concept and technological solution. Canadians should be encouraged to appreciate the dynamic and complex nature of border-issues and to appreciate the need for new modes of cartographic representation through educational materials and programmes at all levels.

- Public education in the area of boundary-making and cross-boundary co-operation is essential in order to manage negative reactions to Canada's increasingly integrated role in the global economy and the increasing level of immigration flows, informational exchanges and other challenges experienced by Canadian society.

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19 *De-territorialisations or Re-territorialisations: The Changing role of Boundaries in a Globalised World*, Professor David Newman, Head of Department of Politics and Government, Ben Gurion University of the Negev, Israel

PERMEABLE BORDERS, IMPERMEABLE SOVEREIGNTIES

Canada has the largest marine area of any state in the world, and therefore has – or should have – a high degree of interest in ocean development of all kinds. Thee maritime boundaries have been resolved; three remain to be addressed. One boundary, with Greenland, was settled by agreement in 1970. The other two existing maritime boundaries were settled by judicial settlement, though the International Court of Justice with respect to the Gulf of Maine. A special Court of Arbitration settled the boundary with the French islands of St. Pierre and Miquelon. The unresolved boundaries are with the United States – in the Beaufort Sea, BC-Alaska, and BC-Washington. No negotiations are scheduled on any of them.

The freshwater interests of Canada are hardly less important, with the Great Lakes, and many rivers flowing across the land boundaries with the United States. Some issues relevant to international rivers in Central Europe were examined by Dr. Valerie Assetto[20]. Despite numerous calls for increased cooperation in international river basin management there, almost no progress has been made on this issue in the period 1989-99. While international globalisation seems to dictate the logic of such co-operation, Croatia, Hungary, Slovakia and Ukraine have been slow to respond to common problems surrounding the Danube, the Tisza, and other waterways. In her paper, Dr. Assetto examined the level of co-operation between these states over the past ten years with respect to flood control, navigation, energy production, and environmental protection. She concluded that despite pressures from globalisation, the reassertion of sovereignty by these states, after four decades of enforced co-operation, has actually hardened borders in the region and hampered the search for co-operative solutions.

Ian Townsend-Gault[21] examined issues arising from the maritime jurisdictional disputes in the South China Sea, where the continuing focus on the occupation of reefs and *rights* over ocean space monopolises the regional debate as if these were the key issues as regards optimum maritime management. Lack of confidence and mutual antipathy are making it increasingly difficult to engender the forms of co-operation which are essential in a semi-enclosed marine space.

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20 *Permeable Border/Impermeable Sovereignties: International Rivers in Central Europe*, Dr.Valerie J. Assetto, Department of Political Science, Colorado State University, Fort Collins, Colorado, USA

21 *When Boundaries are off the Agenda: Informal diplomacy in the South China Sea*, Professor Ian Townsend-Gault, Director, Centre for Asian Legal Studies, University of British Columbia, Vancouver, Canada

A semi-enclosed sea, comprising one or more marine ecosystem, demands a departure from rigid and outmoded concepts of the functions of a maritime boundary. Permeability is more than desirable – it is essential. Since 1989, Townsend-Gault and Indonesian lawyer and diplomat Hasjim Djalal have been directing an informal "track two" diplomacy initiative focusing on co-operation as a key to confidence building and going "around" an otherwise intractable jurisdictional dispute. This initiative is supported by Canada through CIDA. The emphasis here was on the dead hand of sovereignty, which leads states into the adoption not only of unyielding positions, but the mistaken assumption that challenges such as marine scientific research, habitat protection, environmental quality, navigational safety issues, and living and non-living resource management can be relegated in importance indefinitely. In the South China Sea, as in other marine areas, this is impossible. The challenge becomes one of trying to displace the exotic and fascinating questions of sovereignty over isolated islands linked to the supposed presence of vast oil fields with the more prosaic but infinitely more urgent issues of marine management. Canada's role as supporter of this project is an essential element in its success in Unfortunately, while progress is being made, the rhetoric on sovereignty (and grossly exaggerated and ultimately unsubstantiated reports of petroleum production potential) tends to drown all other considerations.

The prospects for regional co-operation in areas like the South China Sea are greatly prejudiced by the prevailing mood of challenge, if not actual conflict. It is hard to see how such an environment could be conducive to forms of contact and dialogue which are the basic requirements for the co-existence of states. These issues were investigated by Professor Alan Henrickson. His paper proposed that transfrontier diplomacy, based on a consociative model of peacemaking, can ameliorate relations not only between border communities but also between central governments and even entire societies, but only if several conditions are met. The first is that the nations in question must "face," or consciously confront, one another, and thus have one another's full diplomatic attention. The second is that their domestic political systems must be so structured as efficiently to transmit border-community perspectives to national decision-making centers, which in turn must keep in touch with peripheral communities. The third is that international agreements, including "good neighborhood" or *bon voisinage* treaties, should be concluded to bind countries legally to a regime of border co-operation. Such bilateral border agreements can be elicited and also reinforced by multilateral "framework" cooperation pacts that cover larger regions.

Recommendations

- Canada should continue to encourage participation in the full range of modes of engagement with formal and informal processes dealing with the

sustainable development, preservation and protection of rivers and oceans, domestically, and abroad.

- Canada should use and further its comparative advantage in international affairs in areas such as freshwater and ocean policy and development, and to further the development of regimes which promote conservation and good governance.

Territoriality and Permeability

The state of the "nation-state" could hardly have been anything other than a constant theme throughout the Conference, but one which emerged more obviously in some presentations than others. Professor David Newman addressed the theme directly in his consideration of "de-territorialisation" and "re-terrritorialisation". For him, notions of a "borderless world" and political "deterritorialisation" are seen as signaling a new world order in which the territorial component in world affairs is no longer of any importance. The impact of globalisation and the changing nature of the world political order have raised major questions concerning the role of the nation state and the way in which territory continues to define the spatial extent of sovereignty, in particular, the "end of the nation state" thesis question, by defining the role and function of state boundaries. The argument that boundaries have disappeared altogether is met by those who hold that boundaries remain an important component through which the territorial features of a state are defined and continually reconfigured, but that their roles and functions are undergoing important changes as they become more permeable and open to transboundary movement of people, goods and information.

Newman addressed the de-territorialisation argument by focusing on the continued importance of territory and its physical delimiters- boundaries- in the formation of ethnic and national identities. He contended that economic arguments lie at the heart of the "end of the nation state" thesis, and some commentators consider that this view may contain as much prescription as analysis. If tests relying on ethno-territorial characteristics are applied, the results are rather different. Some boundaries are opening up, as in western Europe, but elsewhere new boundaries and new fears of separation are being created as ethno-territorial conflicts are being fought out and/or being resolved. The conclusion is a reminder that boundaries must always be examined from a multidimensional perspective, taking into account the diverse factors which may or may not bring about a change in their traditional functions as barriers to communication and movement.

If boundaries are destined to be with us, we face again the question of permeability. The concept of the permeable boundary is hardly new, in recent years it has witnessed a remarkable resurgence in popularity. Indeed, the notion that boundaries need to be able to 'breathe' has now almost become axiomatic among boundary scholars. Yet despite being one of the most frequently-used buzzwords in boundary studies in the 1990s, permeability remains rather poorly-defined. Like obscenity, most of us know it when we see it - but what exactly do we mean when we talk about a permeable boundary? What factors affect permeability? Can they be quantified or does permeability involve qualitative elements that defy measurement? Is it possible to compare the permeability of different boundaries? And if so, what can be learned from doing so? Martin Pratt examined the value of, and the problems associated with, attempting to measure and classify the permeability of international boundaries around the world. He argued that, while a meaningful 'index of permeability' may be beyond our reach, subjecting a boundary to a rigorous geographical analysis is a far from futile exercise.

Emergency Planning, Response, and Technology

Dr. William Wood[22], The Geographer at the United States Department of State, examined problems with the accuracy and sufficiency of data and information in a situation with which many countries are becoming all too familiar – emergency response to conflict. His remarks derived from his experiences with the Kosovo emergency, but might well have been applied to the Balkans as a whole, and might also have been applicable to the situation in East Timor, which developed shortly after the Conference ended.

Complex emergency responses are invariably difficult, multi-faceted, and highly charged undertakings, with implications for international relations (and international law), and urgent lifesaving requirements. Accurate, relevant, and timely data can play a critical role in humanitarian missions, and yet a cohesive information plan has been largely absent from some multilateral emergency responses, such as those in the Balkans. Wood's paper explored the potential use of geographic information system (GIS)-linked data collection, organization, and dissemination prior to and during multilateral humanitarian operations. The multiple functions of international boundaries in such operations were discussed, and also the challenges of meeting crisis-response objectives. In Wood's view. the use of GIS tools in Kosovo provided a model for projecting informational requirements onto future complex emergency responses that will involve both peacekeepers and civilian agencies.

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22 *Refugees and Kosovo*, Dr. William Wood, Director, Office of the Geographer, United States Department of State, Washington D.C., USA

International responses to complex emergencies, which can be regionally destabilizing, are often weakened by poor planning and insufficient data sharing. As diplomats, peacekeepers, human rights monitors, and relief agencies continue to wrestle with the challenge of implementing peace operations, relief deliveries, and even civil administrations in war-ravaged areas, they will need to rely more on new geographic information technologies and methodologies. For inevitable future complex emergencies, the issue will not be what GIS is capable of, but rather how it can be best applied to support effective collaborations before, during, and after responders deploy into the crisis zone.

Boundary Studies in the "Borderless World"

The arguments advanced by Newman and Pratt seem to be designed as a counterpoise to those of the "borderless" lobby. There is nothing inherently conservative in their approach, more a call for caution, and to resist the lure of arguments which are either overly sectoral or narrow, or merely fashionable. From their very different perspectives, the writers of this paper encounter common misunderstandings on a range of boundary issues. All too often, this is attributable to a partial, biased or subjective scrutiny of the issue to hand. It is hard, for example, to claim that the evolution of the European Union provides a model for borderless regions or blocs at a time when so many national or ethnic boundaries are being re-asserted. Similarly, the European model does not support a view of close co-operation based on an assertion of sovereignty. A surrender of sovereignty (partial as it may be) lies at the heart of the legal creature that is the European Union.

The Conference reinforced the view that boundary studies, properly defined, are inherently multi-disciplinary. One view or discipline may lead or dominate a particular project at any given time, but the function of the modern boundary goes well beyond the analytical reach of geographers, lawyers, political scientists and economists. This leads to a final consideration for Canada – how can we best emulate or continue to work with bodies such as the International Boundaries Research Unit at Durham, which have led the way in providing fora for responding to the contemporary challenges of one of the most basic instincts of our species – boundary-making.

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